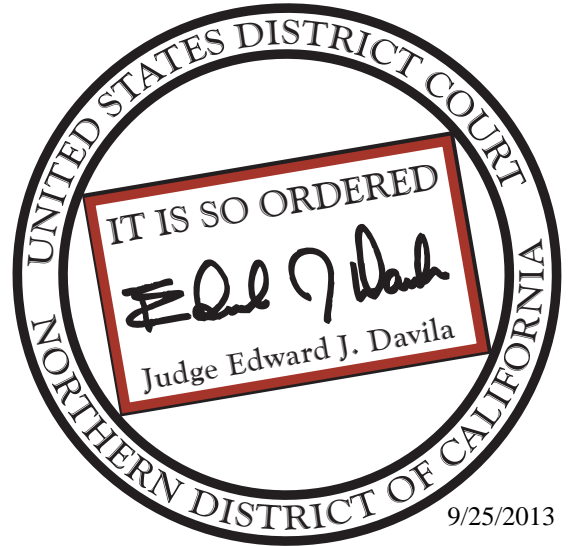


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15 UNITED STATES DISTRICT COURT
16
17 NORTHERN DISTRICT OF CALIFORNIA

18 VMWARE, INC.,
19
20 Plaintiff,
21
22 v.
23 DATA SPEED TECHNOLOGY LLC,
24
25 Defendant.
26
27
28

Case No. 5:13-cv-03823-EJD

**PLAINTIFF VMWARE'S RULE
41(a)(1)(A)(i) NOTICE OF
VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

Judge: Hon. Edward J. Davila

1 NOTICE IS HEREBY GIVEN that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules
2 of Civil Procedure, Plaintiff VMware, Inc., by its undersigned attorneys, voluntarily dismisses
3 without prejudice the above-captioned action. In accordance with Rule 41(a)(1)(A)(i), this notice
4 of dismissal is being filed with the Court before service by Defendant of either an answer or a
5 motion for summary judgment.

6 The Clerk shall close this file.

7 Dated: September 23, 2013

By: /s/ Brooks Beard

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